

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of

Josue Alusma  
4301 Rose Ave., #B  
Naples, Florida

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File No.: EB-02-TP-260  
NAL/Acct. No. 200232700022  
FRN 0007-4959-97

**FORFEITURE ORDER**

**Adopted: January 29, 2003**

**Released: January 31, 2003**

By the Chief, Enforcement Bureau:

1. In this *Forfeiture Order* ("Order"), we issue a monetary forfeiture in the amount of ten thousand dollars (\$10,000) to Josue Alusma, for willful and repeatedly violation of Section 301 of the Communications Act of 1934, as amended ("Act").<sup>1</sup> The noted violation involves Mr. Alusma's operation of a radio station on the frequency of 100.5 MHz without Commission authorization.

2. On August 6, 2002, the District Director of the Commission's Tampa, Florida Field Office ("Tampa Office") issued a *Notice of Apparent Liability for Forfeiture* ("NAL") in the amount of \$10,000 to Mr. Alusma.<sup>2</sup> Mr. Alusma has not filed a response to the NAL. Based on the information before us, we affirm the forfeiture.

3. **ACCORDINGLY, IT IS ORDERED THAT**, pursuant to Section 503(b) of the Act,<sup>3</sup> and Sections 0.111, 0.311 and 1.80(f)(4) of the Commission's Rules ("Rules"),<sup>4</sup> Josue Alusma **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$10,000 for willfully and repeatedly violating Section 301 of the Act.

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.<sup>5</sup> Payment shall be made by mailing a check or similar instrument, payable to the order of the "Federal Communications Commission," to the Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482. The payment should note NAL/Acct. No. 200232700022, and FRN 0007-4959-97. Requests for full payment under an installment plan should be sent to: Chief, Revenue and Receivables Operations Group, 445 12th Street, S.W., Washington, D.C. 20554.<sup>6</sup>

<sup>1</sup> 47 U.S.C. § 301.

<sup>2</sup> *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200232700022 (Enf. Bur., Tampa Office, released August 6, 2002).

<sup>3</sup> 47 U.S.C. § 503(b).

<sup>4</sup> 47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

<sup>5</sup> 47 U.S.C. § 504(a).

<sup>6</sup> See 47 C.F.R. § 1.1914.

5. **IT IS FURTHER ORDERED THAT** a copy of this *Order* shall be sent by first class mail and certified mail, return receipt requested, to Josue Alusma, 4301 Rose Avenue #B, Naples, Florida 34112 and 4995 Tamiami Trail East, Naples, Florida 34113.

**FEDERAL COMMUNICATIONS COMMISSION**

David H. Solomon  
Chief, Enforcement Bureau